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Nichols Kaster, LLP
Attorneys at Law

Minneapolis • San Francisco

August 18, 2008

Sent Via ECF

Honorable Jeffrey S. White
United States District Court, District of Northern California
Courtroom 2, 17th Floor
450 Golden Gate Ave.
San Francisco, CA 94102

**Re: Charles Jason Moran v. Piper Jaffray & Co. d/b/a Piper Jaffray
Court File No. 08-cv-3188 JSW**

Dear Judge White:

The parties in the above-referenced case are scheduled to appear in front of the Court on August 22, 2008, for Defendant's Petition to Compel Arbitration and Stay the Proceedings. See Dkt. 14. On October 10, 2008, the parties are scheduled to appear in front of the Court again, this time on Plaintiff's Motion for Preliminary Injunction. See Dkt. 27.

Plaintiff respectfully requests that the Court hear its Motion for Preliminary Injunction on August 22, at the same time as it hears Defendant's motion. Plaintiff originally noticed the motion for that date. See Dkt. 21. Pursuant to the Court's order, Dkt. 29, the parties have fully briefed the motion. Defendant has blurred the lines between the two motions by devoting significant portions of its reply brief to arguments in response to Plaintiff's motion. See Dkt. 30.

If the Court is unable to entertain oral argument for Plaintiff's October 10 motion on August 22, Plaintiff is willing to waive the October 10 hearing so that the Court might decide the motion on the papers.

Finally, Plaintiff would like to inform the Court that he has clarified his request for permanent relief through FINRA, to the extent there was any ambiguity as to the nature of that request. A copy of Plaintiff's letter to FINRA is attached hereto.

Sincerely,

NICHOLS KASTER, LLP

A handwritten signature in black ink, appearing to read "Matthew C. Helland", written in a cursive style.

Matthew C. Helland

Encl.

cc: Client
Gordon Young, Esq. (via ECF)
Julie Kole, Esq. (via ECF)
Anne Moriarty, Esq. (via ECF)

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Via Facsimile (301-527-4766) and U.S. Mail

Audrey Phillips, Hearing Officer
FINRA Dispute Resolution
One Liberty Plaza
165 Broadway, 27th Floor
New York, NY 10006

***Re: FINRA Dispute Resolution Arbitration Number 08-02404
Charles Jason Moran v. Piper Jaffray & Co., d/b/a Piper Jaffray***

Dear Ms. Phillips:

On July 16, 2008, Charles Jason Moran filed his statement of claims with FINRA. In his statement of claims, he requested permanent declaratory relief. I also alerted FINRA that Mr. Moran would be proceeding under FINRA Code of Arbitration Procedure for Industry Disputes § 13804. At the time, Mr. Moran's request for preliminary injunction was scheduled to be heard August 22, 2008.

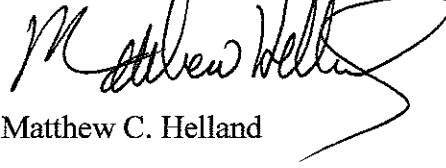
As an initial matter, please be advised that Mr. Moran's motion for preliminary injunction has been continued to October 10, 2008 due to the Court's full docket. We will be submitting a letter request for the motion to be heard on August 22, 2008, at the same time as a related motion Defendant has brought. We will advise FINRA immediately if and when a preliminary injunction is issued.

Second, we wish to clarify our request for permanent relief, to the extent such clarification is needed. Mr. Moran intends to proceed with an expedited hearing on the enforceability of the various contractual provisions outlined in his statement of claims. To the extent FINRA rules mandate a request for permanent injunction (with Mr. Moran's request for declaratory relief to be decided contemporaneously or at later hearing) as opposed to simply a request for permanent declaratory relief, Mr. Moran hereby requests a permanent injunction and an expedited hearing as outlined by Section 13804.

Please feel free to contact me with any questions regarding Mr. Moran's claim.

Sincerely,

NICHOLS KASTER, LLP

A handwritten signature in black ink, appearing to read "Matthew Helland", with a large, sweeping flourish extending from the end of the signature.

Matthew C. Helland

cc: Client
Gordon Young, Esq. (Via Email)
Julie Kole, Esq. (Via Email)
Anne Moriarty, Esq. (Via Email)